GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR & RD Dept. – Disciplinary Proceedings initiated for violation of APCS (Conduct) Rules, 1964 against Sri D.Sivaram, former Deputy Executive Engineer (PR), Gajapathinagaram (now Retired) - Finalization of the disciplinary proceedings by imposition of a penalty of 5% cut in pension for a period of (1) year under Rule 9 of A.P. Revised Pension Rules, 1980 and also recovery of an amount of Rs.1,37,987/- from him at bank rate + 2% as per Article 300 of A.P. Finance Code, Volume in lumpsum **duly invoking R.R. Act against him** – Orders-Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT(VIG.I) DEPARTMENT

G.O.Rt.No.738

Date: 03.11.2023.
Read the following:

1. From the Engineer-in-Chief,Panchayat Raj, Letter No. Vig. I (10/748236/2017, dated: 30.01.2018).
2. G.O.Rt.No.1238, P.R. & R.D (Vig. I) Department, Dt: 06.11.
3. G.O.Rt.No.1242, P.R. & R.D (Vig. I) Department, Dt: 06.11.2018 (charges)
4. From the ENC, PR, Letter No. Vig. I (1)/.748236/2017, dated: 25.04.2019.
5. G.O.Rt.No.712, PR&RD (Vig. I)Department, Dt: 21.11.2019.
6. From Sri P. Vijaya Kumar, EE, PR (PIU), Vizianagaram and the S.E, PR, Vizianagaram (FAC), Letter Rc. No. 28/2018/A1, dt: 08.07.2020.
7. G.O.Rt.No. 503, P.R. & R.D.(Vig.I) Department, Dt: 28.08.2020.
8. From the SE, PR, Visaskhapatnam and E.O, Letter Rc.No. C/1189/2019/A4, dated: 22.09.2021.
9. Govt. Memo No.5002/Vig.I/2018-6, PR&RD (Vig.I) Department, Dt: 17.11.2021.
10. Govt. Memo No. 5002/Vig. I/2018-7, PR&RD (Vig.I) Department, Dt: 17.11.2021.
11. From the ENC, PR, Letter No. Vig. I (1)/.748236/2017, dated: 07.12.2021.
12. From Sri D. Sivaram, former Dy.EE, PR Sub-Division, Gajapathinagaram (Retired), representation dt: 21.01.2022.
13. Govt. Memo No.5002/Vig.I/2018-9, PR&RD (Vig. I) Dept., Dt: 28.10.2022.
14. From Sri D. Sivaram, former Dy.EE (PR), Gajapathinagram (Retd.), Residing in Visakhapatnam, dt: 15.12.2022.
15. Govt. Letter No. 5002/ Vig. I/2018,Dated:03.08.2023.
16. From the Secretary, APPSC, Letter No. GAD.3-APPS0DCC/56/2023-DC.SEC-APPSC dt: 15.06.2023

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ORDER:

Whereas, in the reference 3rd read above, Government have initiated disciplinary proceedings by framing of articles of charge under Rule 20 of APCS (CC&A) Rules, 1991 against Sri D. Sivaram, former Deputy Executive Engineer, PR Sub-Division, Gajapathinagaram, erstwhile Vizianagaram District (retired on 30.06.2016) for violation of A.P.C.S (Conduct) Rules, 1964 with a direction to the Charged Officer to submit his written statement of defence.

2. And whereas, in the reference 4th read above, the Engineer-in-Chief,Panchayat Raj, has furnished the written statement of defence dt: 02.02.2019 of the charged officer Sri D. Sivaram, Deputy Executive Engineer (Retired). As the same is not convincing, Government have taken decision to conduct regular enquiry into the charge framed against the charged officer

(P.T.O)

and also against two (2) other co-charged officers who are involved in the case.

3. Accordingly, in the reference 5th read above, Government have appointed the Superintending Engineer, Panchayat Raj, Vizianagaram as the Inquiry Authority to enquire into the charges framed against all the (3) charged officers in the matter. Subsequently, Government after considering the report, received in the reference 6th read above, have appointed the Superintending Engineer, PR, Visakhapatnam as the Inquiry Authority vide reference 7th read above in place of the Superintending Engineer, PR, Vizianagaram.

4. And where as, in the reference 8th read above, the Superintending Engineer, PR, Visakhapatnam and Inquiry Authority has furnished inquiry report along with his findings on each charged officer. In the findings the Inquiring Authority, among others, has held that the charge against the charged officer Sri D. Sivaram, the then Deputy Executive Engineer, PRI, Gajapathinagaram is held proved.

5. And whereas, in the reference 9th read above, Government, have communicated the copy of the Inquiry report to the charged officer Sri D. Sivaram, Deputy Executive Engineer (Retired) among others, for submitting his representation, if any on the findings of the Inquiry Authority. Simultaneously, in the reference 10th read above, the Engineer-In-Chief, PR has been requested to apportion the total loss of Rs.4,13,962/- among three (3) Charged Officers based on the rules duly fixing the ratio and send his report so as to take further action in the matter. The Engineer-In-Chief, PR in the reference 11th read above, submitted that the total loss of Rs.4,13,962/- caused in the matter has to be recovered equally among the above three (3) charged officers.

6. In the reference 12th read above, the charged officer Sri D. Sivaram, Deputy Executive Engineer (Retired) has submitted representation duly stating that, as per the enquiry report it has been noticed by him that, being the Dy.EE, the irregularity on his part is only to check measure the measurements recorded by the MEO on the relevant M.Books pertaining to 5 works and not observing the split of works by violating the G.Os. The Charged Officer has stated that the total amount of Rs.4,13,962/- has to be recovered from the MEO and MPDO, as he had retired from service on 30.6.2016 and requested to drop further action against him.

7. After examining the matter, Government have taken a provisional decision to impose a penalty of 5% cut in pension for a period of one (1) year and also recovery of an amount of Rs.1,37,987/- from him at bank rate + 2% as per Article 300 of A.P. Finance Code, Volume in lumpsum **duly invoking R.R. Act against him** against Sri D. Sivaram, Deputy Executive Engineer (Retired) under Rule 9 of A.P. Revised Pension Rules, 1980 in the matter. Accordingly, in the reference 13th read above, Government have communicated the above provisional decision to the Charged Officer directing to submit his representation, if any, in the matter.

8. And where as, in the reference 14th read above, the Charged Officer Sri D. Sivaram, Deputy Executive Engineer (Retired) has submitted that pension being paid to him is very meager and certain pension amount is being incurred towards medical expenses for him and his wife. He has requested the Government to exempt him from the proposed recovery in the matter.

9. After examining the entire issue, Government have therefore considered to proceed further on the provisional decision to impose penalty of 5% cut in

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pension for a period of one (1) year besides recovery of an amount of Rs.1,37,987/- from him at bank rate + 2% as per Article 300 of A.P. Finance Code, Volume in lumpsum duly invoking R.R. Act against the C.O., Sri D. Sivaram, Deputy Executive Engineer (Retired) and obtained the concurrence of APPSC in the reference 16th read above.

10. Government, after careful examination of the matter, hereby impose the penalty of 5% cut in pension for a period of one (1) year besides recovery of an amount of Rs.1,37,987/- from him at bank rate + 2% as per Article 300 of A.P. Finance Code, Volume in lumpsum duly invoking R.R. Act against Sri D. Sivaram, Deputy Executive Engineer (Retired) under Rule 9 of A.P. Revised Pension Rules, 1980, for violation of A.P. Civil Service Conduct Rules,1964.

11. The Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri D. Sivaram, Deputy Executive Engineer, Gajapathimnagaram, erstwhile Vizianagaram District (Retired)
through the Engineer–in- Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada (with a request to serve the order on the individual and furnish the served copy)
Copy to:
The Secretary to Vigilance Commission, Andhra Pradesh Vigilance Commission, Velagapudi.
The Secretary, A.P. Public Service Commission, Vijayawada.
The OSD to Hon'ble Dy.C.M for PR&RD.
The PS to Spl.CS. to Govt, PR&RD Dept.,
The AG, AP, Vijayawada.
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER